

**REMARKS**

Reconsideration and allowance are respectfully requested.

The specification is amended as requested by the Examiner. Other amendments are made to the specification to conform the application to U.S. patent practice. No new matter is believed to be added. Approval and entry are requested.

Most of the claims stand rejected under 35 U.S.C. §103 as allegedly being unpatentable based on D'Argence (D1) in view of O'Neill (D2). This rejection is respectfully traversed.

In independent claim 24, the term "at least one second access network" is amended to "a second access network" and the term "at least one second access technology" to "a second access technology." Example support may be found on page 7, line 26-36. The term "access relevant information" is further defined as follows: "wherein the access relevant information comprises information describing a state of at least one of the access networks based on signal measurements and/or load measurements." Example support may be found on page 9, line 1-6. Further, the clause "wherein the access relevant information is expressed in comparable quantities" is added. Example support may be found on page 11, lines 27-30. The "determining step" is amended to "determining which access network that provides a best connection to a terminal and which access network that should be accessed based on at least a result of the comparison of the received access relevant information extracted from messages sent within the first access network to the access relevant information received from the second access network." Example support may be found on page 9, lines 7-8 and page 20, line 9-12. Claims 34 is canceled.

Independent claim 35 is amended in a corresponding way as claim 24. Independent claim 46 is amended in a corresponding way as claim 24 and also to amend "for providing

wireless access to a communication system to a number of terminals” to “which system provides wireless access to a communication system to a number of terminals.” Example support may be found on page 11, lines 12-15.

New claims 47-49 further define sniffing: “wherein sniffing a message includes reading a source address, a destination address, and a data payload of the message without influencing the message.” Example support may be found on page 9, lines 31-34.

Claim 1 concerns a method for managing radio resources for providing wireless access to a communication system to a number of terminals. The system comprises a first access network using a first access technology and a second access network using a second access technology different from the first access technology. Access relevant information, which is used to determine which access network a terminal should access, is received from the access networks. The access relevant information describes a state of at least one of the access networks based on signal measurements and/or load measurements. The access relevant information is extracted by sniffing messages sent within the first access network. As explained in the application page 9, line 31-34, sniffing a message means to read not only the source and destination address of a message but also the data of the message without influencing the message. Then, the received access relevant information extracted from messages sent within the first access network is compared to comparable access relevant information from the second access network. The access network that provides the best connection to a terminal and thus should be accessed is then determined based on the result of the comparison of the received access relevant information.

D1 discloses a communication system comprising a CRRM (common radio resource manager) that coordinates the use of the radio resources from different radio access systems.

The CRRM receives information required for the CRRM to perform the resource management algorithms from network elements. The Examiner admits that D1 does not disclose that any information that is used to manage access resources is obtained by sniffing messages sent within an access network, as recited in all of the independent claims, or a listening agent, as recited in claims 35 and 46.

For these missing features, the Examiner relies on D2. D2 describes a telephone system with a service controller and a port wireline connected to each radio base station. See Figure 3. The service controller selects radio base stations for setting up radio links with wireless sets of calling or called persons. A base station which serves a wireless set and surrounding idle base stations monitor strengths of radio signals received from the wireless set and reports running averages of the monitored signal strengths to the service controller. See Abstract. Movement of the wireless set from one cell to another cell during a call is detected as a drop in the running average reported by the serving base station. The service controller selects an idle base station to which the call is handed off based on the running averages reported by the idle base stations, where the selected base station is taken only from the group of idle base stations with a running average greater than the serving base station reporting their running average.

The Examiner focuses on D2's cell manager 1 and its arbiter master in Figure 11. D2 defines arbitration "as attempting to establish a better link given an existing link." Col. 13, lines 52-53. "Given an established link, the arbitrator will attempt to find a better link." Col. 14, lines 2-3. D2 explains that "[t]he request by the arbitrator to neighbouring cells to listen in on a specified channel and to report its RSSI level is referred to as a SNIFF request." Col. 14, lines 7-9. D2's SNIFF request is not the same sniffing messages as claimed. The SNIFF request in D2 is a command to a base station to search for a better cell for a target portable handset. See col.

14, lines 29-31 and col. 14, line 61-col. 15, line 6. The base stations simply acknowledge the SNIFF command. Col. 14, lines 43-45. A command to perform a task and an acknowledgement do not disclose or suggest sniffing messages to access relevant information that describes a state of at least one of the access networks based on signal measurements and/or load measurements. Nor does D2 teach a listening agent sniffing messages that are directed to an entity in the first access network other than the listening agent, where sniffing a message includes reading a source address, a destination address, and a data payload of the sniffed message without influencing the sniffed message as recited in the newly added dependent claims.

Unlike D1 or D2, the claimed technology extracts access relevant information upon which resource management decisions by sniffing messages sent within an access network. As a result, the claimed technology makes use of existing internal interfaces to obtain the access relevant information making it easier to expand a communications system with a new access network using a new access technology since it is not necessary to standardize new specific interfaces between the new access network units and a CRRM for reporting access relevant information to the CRRM. Instead, the CRRM function obtains the access relevant information from sniffing on the internal interfaces within the new access network.

There is no reason for D1 to incorporate the claimed sniffing of messages to retrieve information to the CRRM-function. On the contrary, the solution in D1 involves defining specific interfaces and dedicated signaling between network entities and the CRRM to provide the CRRM with the information it requires. See page 8, line 9-24. The CRRM function in D1 makes specific requests to relevant network entities for the information it requires. See page 16, line 8-18. In contrast, when the information is obtained instead by sniffing messages sent within

an access network, as claimed, the CRRM function need not send such specific requests over interfaces dedicated for this purpose.

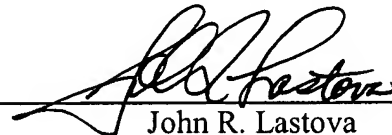
The various tertiary references applied by the Examiner to reject some of the dependent claims do not remedy the basic deficiencies of the D1 and D2.

Accordingly, the application is in condition for allowance. An early notice to that effect is requested.

Respectfully submitted,

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